

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LUDWIG RECKELBERG,

Plaintiff,

v.

Case No. 08-C-343

DIANE ZENZ,

Defendant.

ORDER

Plaintiff has filed an action in this court against defendant Diane Zenz. Ordinarily, a plaintiff must pay a statutory filing fee of \$350 to bring an action in federal court. 28 U.S.C. § 1914(a). Plaintiff, however, has requested leave to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915.

Section 1915 is meant to ensure indigent litigants meaningful access to federal courts. *Nietzke v. Williams*, 490 U.S. 319, 324 (1989). An indigent plaintiff may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1). Plaintiff filed the required affidavit of indigence. Upon review of that affidavit, it appears that plaintiff could not pay the \$350 filing fee.

Section 1915 also requires courts to “screen” complaints to ensure that indigent plaintiffs do not abuse the ability to bring cases without paying a filing fee. Plaintiff’s complaint sets forth

a series of grievances he has with Zenz and others, apparently regarding his social security payments. He seeks millions of dollars in damages against the defendants for what he alleges is the stealing of his money. Since filing the complaint, plaintiff has also filed a number of letters with the court explaining the relief he seeks.

The complaint will be dismissed for failure to state a claim. It details a series of grievances the plaintiff has involving his payments and his desire to move to Kewaunee County. It further alleges that people are stealing from him and / or lying to him. Although the complaint sets forth the plaintiff's problems with various payees, there is no indication within it that the complaint states a cause of action under federal law, and that is a prerequisite to the bringing of a cause of action in federal court.

Accordingly, the motion to proceed *in forma pauperis* is **DENIED** and the complaint is **DISMISSED**.

SO ORDERED this 15th day of May, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge